REMARKS

Note as to why next office action may not be able to be a final office action

Applicant notes that none of the independent claims have been amended in the traversal of the rejection thereof. Therefore, if the Examiner finds new prior art on which basis to reject any of the independent claims, then the next action has to be a non-final office action, and cannot be a final office action. In this respect, Applicant notes that MPEP sec. 706.07(a) states that "a second or any subsequent action on the merits in any application . . . *will not be made final* if it includes a rejection, *on newly cited art, . . . of any claim not amended by applicant . . . in spite of the fact that other claims may have been amended to require newly cited art.*"

Claim rejections under 35 USC 103

Claims 1-4, 6-7, 9-11, 14, 16-18, and 22 have been rejected under 35 USC 103(a) as being unpatentable over Schoenzeit (5,619,624) in view of Neuhard (6,052,198). Claims 8, 12, 13, 15, and 21 have been rejected under 35 USC 103(a) as being unpatentable over Schoenzeit in view of Neuhard, and further in view of Berry (6,707,563). Claims 5 and 19-20 have been rejected under 35 USC 103(a) as being unpatentable over Schoenzeit in view of Neuhard, and further in view of Eisele (2002/0109869). Claims 1, 10, and 17 are independent claims, from which the remaining claims rejected on this basis ultimately depend. Applicant respectfully submits that claim 1 as originally presented, and claims 10 and 17 at least as previously presented, are patentable over Schoenzeit in view of Neuhard, such that the remaining claims rejected on this basis are patentable at least because they depend from patentable base independent claims.

Insofar as the rejection over Schoenzeit in view of Neuhard is concerned, Applicant discusses claim 1 as representative of all the independent claims, because the other independent claims 10 and 17 at least substantially recite the limitation of claim 1 that Applicant submits is not found in Schoenzeit in view of Neuhard. In particular, claim 1 is limited to "requesting the RIP

engine to perform dynamic configuration of at least one RIPing parameter when the RIPing parameter is not congruent to a RIP manager supplied processor preference." Applicant respectfully submits that this limitation is not found in Schoenzeit in view of Neuhard.

On page 3 of the most recent office action, the Examiner has indicated that Schoenzeit in view of Neuhard discloses this limitation insofar as elements 152, 156, 158, and 168 of FIG. 13 and column 13, lines 31-45 of Neuhard disclose this limitation. The Examiner has interpreted these portions of Neuhard as disclosing that "after the print job is submitted, it gets checked whether the RIPed version [of the print job] is submitted or available," and if the RIPed version of the print job is not available, "the RIPed version gets generated and submitted to the printer" (Most recent office action, p. 3). Applicant agrees with the Examiner in this respect; that is, Neuhard does disclose that after a print job is submitted, it is determined whether a RIPed version of the print job is available, and if a RIPed version of the print job is unavailable, then a RIPed version of the print job is generated and sent to the printer.

However, Neuhard in this respect does not rise to the level of Schoenzeit in view of Neuhard suggesting the limitation "requesting the RIP engine to perform dynamic configuration of at least one RIPing parameter when the RIPing parameter is not congruent to a RIP manager supplied processor preference." **First**, in Schoenzeit in view of Neuhard, the RIP engine is requested to generate a RIPed version of a print job – it is not requested to perform *dynamic configuration* of at least one RIPing parameter, in contradistinction to the claimed invention. That is, in Schoenzeit in view of Neuhard, there is no *configuration* being performed whatsoever. The online dictionary www.dictionary.com relevantly suggests that configuration means the way in which something is set up, where in the claimed invention we are configuring at least one parameter related to RIPing. Schoenzeit in view of Neuhard does not perform any configuration of parameters related to RIPing – rather, if a RIPed version of a print job is unavailable, Schoenzeit in view of Neuhard simply generates the RIPed version of the print job (as opposed to,

for instance, configuring the parameters related to RIPing and that presumably control *how* the print job is RIPed to generate to the RIPed version thereof).

Second, Schoenzeit in view of Neuhard, there is no *parameter* disclosed at all that can be considered to correspond to the invention's RIPing parameter. The online dictionary www.dictionary.com relevantly defines parameter as meaning a characteristic or factor, aspect, or element. Schoenzeit in view of Neuhard does not dynamically configure a characteristic/factor/aspect/element related to RIPing the print job, in contradistinction to the claimed invention. Rather, Schoenzeit in view of Neuhard simply generates a RIPed version of a print job if no RIPed version of the print job is already available. Neither the print job nor the RIPed version of the print job can be considered a *parameter* as most broadly and reasonably interpreted by one of ordinary skill within the art (as suggested by the definition of this term by the online dictionary www.dictionary.com, as noted above).

Third, Schoenzeit in view of Neuhard does not request *anything* to be performed *when the RIPing parameter is not congruent to a RIP manager supplied processor preference*, in contradistinction to the claimed invention. As noted above, there is no RIPing parameter disclosed in Schoenzeit in view of Neuhard. As such, it cannot be said that Schoenzeit in view of Neuhard performs its functionality (i.e., generating a RIPed version of a print job) when such a parameter is not congruent to a RIP manager supplied processor preference. Rather, Schoenzeit in view of Neuhard performs its functionality (i.e., generating a RIPed version of a print job) when a RIPed version of the print job is unavailable – not when any type of parameter is not congruent to some type of preference, as in the claimed invention.

Fourth, Schoenzeit in view of Neuhard does not disclose any type of *processor preference*, in contradistinction to the claimed invention. There are no preferences disclosed in Schoenzeit in view of Neuhard, let alone *processor* preferences. The online dictionary www.dictionary.com relevantly defines preference as meaning a predisposition in favor of something. In Schoenzeit in view of Neuhard, however, there is no predisposition in favor of

something. Rather, if a print job has not yet been RIPed to generate a RIPed version of the job, then the RIPed version of the job is available. This is not a *preference*, but rather is more of a demand – that is, Schoenzeit in view of Neuhard does not *prefer* to generate a RIPed version of a print job if the RIPed version is unavailable, but rather *always* generates the RIPed version of the print job if it is unavailable.

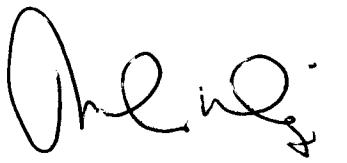
Fifth, Schoenzeit in view of Neuhard does not disclose any type of preference that is *supplied by a RIP manager*, in contradistinction to the claimed invention. The Examiner has not indicated what component/element/etc. of Schoenzeit in view of Neuhard corresponds to the RIP manager recited in the claimed invention. Furthermore, Schoenzeit in view of Neuhard does not disclose any type of preference that is particularly *supplied* by such a RIP manager, unlike as in the claimed invention.

For any and all of these reasons, Applicant respectfully submits that Schoenzeit in view of Neuhard does not teach, disclose, or suggest all the claim limitations of the claimed invention, and therefore does not render the claimed invention *prima facie* obvious and unpatentable.

Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mike Dryja, Applicants' Attorney, at 425-427-5094, so that such issues may be resolved as expeditiously as possible. For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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